



Federal Communications Commission
Washington, D.C. 20554

May 27, 2009

DA 09-1107

Small Entity Compliance Guide

Amendment of Section 90.20(e)(6) of the Commission's Rules (Stolen Vehicle Recovery Service)

FCC 08-186
RM-11135
WT Docket No. 06-142
Released August 13, 2008

This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—to comply with the new rule/s adopted in the above-referenced FCC rulemaking docket/s. This Guide is not intended to replace the rule/s and, therefore, final authority rests solely with the rule/s. Although we have attempted to cover all parts of the rule/s that might be especially important to small entities, the coverage may not be exhaustive. As a result, in any civil or administrative action against a small entity for a violation of a rule or rules, the content of the Small Entity Compliance Guide may be considered only as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. This Guide may not apply in a particular situation based upon the circumstances, and the FCC retains the discretion to adopt approaches on a case-by-case basis that may differ from this Guide, where appropriate. Any decisions regarding a particular small entity will be based on the statute and regulations. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation; the FCC will consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC's approach to implementing a rule, or to clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC's Consumer Center:

1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 202-418-0232
fccinfo@fcc.gov

Compliance Requirements

Notifications

- This rulemaking generally relaxes Stolen Vehicle Recovery Service (SVRS) rules that were previously in effect, but there may be one new action required for small entities who apply for frequency 173.075 MHz. The previous SVRS rules required any applicant proposing to operate base stations within 169 kilometers of a TV Channel 7 transmitter to perform an analysis of potential interference to TV Channel 7 viewers. We retain this rule and add another requirement. We now require that the applicant serve a copy of the analysis to the affected TV Channel 7 station(s). To demonstrate compliance, the applicant shall attach a certificate of service to the application indicating that a copy of the analysis was sent to the affected TV Channel 7 station(s).

Requirement for Voluntarily Power Increases and Emission Designator Changes

- Because this rulemaking relaxes certain power limits and emission designator restrictions associated with the use of frequency 173.075 MHz, we anticipate that licensees will seek to increase their transmitter power levels and/or change their emission designators on their authorizations. Consistent with our existing regulations for major modifications, any licensee on frequency 173.075 MHz who wishes to make such changes will be required to file a modification application and remit the appropriate processing fee. A modification requesting to increase the power level of an existing base station located within 169 kilometers of a TV Channel 7 transmitter will be subject to the interference analysis and notification requirements described above.

Internet Links

- Report and Order, FCC 08-186
Amendment of the Section 90.20(e)(6) Commission's Rules
http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-08-186A1.doc
http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-08-186A1.pdf
http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-08-186A1.txt
- Erratum, DOC-284558
Amendment of the Section 90.20(e)(6) Commission's Rules
http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-284558A1.doc
http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-284558A1.pdf
http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-284558A1.txt